

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MUHAMMAD KHAN,

Plaintiff,

v.

M. PAYTON, et al.,

Defendants.

Case No. 20-cv-03086-BLF (PR)

**ORDER GRANTING IN PART
MOTION FOR EXTENSION OF
TIME TO FILE OPPOSITION;
DENYING MOTION TO COMPEL
AS MOOT**

(Docket No. 73)

Plaintiff, a California inmate, filed a *pro se* civil rights complaint pursuant to 42 U.S.C. § 1983 against employees of San Quentin State Prison (“SQSP”). After rescreening the first amended complaint with Plaintiff’s latest amendment, the Court dismissed non-cognizable claims and ordered service of the remaining claims on Defendants. Dkt. No. 52. On November 15, 2023, Defendants filed a motion for summary judgment. Dkt. No. 72.

Plaintiff has filed a motion for an extension of 90 days to file opposition, citing delays in obtaining discovery and a copy of his deposition transcript. Dkt. No. 73. Plaintiff also requests a motion to compel Defendants’ response. *Id.* Defendants filed a response, stating that the parties have since agreed to a revised timeline for written discovery responses and provisions have been made for Plaintiff to review the deposition

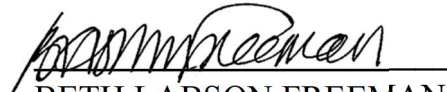
transcript at the prison. Dkt. No. 75.

In light of the foregoing, Plaintiff's motion to compel is **DENIED** as moot. Plaintiff's motion for an extension of 90 days to file opposition to Defendants' summary judgment is **GRANTED IN PART**. Plaintiff shall be granted an extension of forty-five (45) days, such that his opposition shall be filed **no later than January 29, 2024**. Defendants shall file a reply **within fourteen (14) days** from the date Plaintiff's opposition is due.

This order terminates Docket No. 73.

IT IS SO ORDERED.

Dated: December 7, 2023


BETH LABSON FREEMAN
United States District Judge